


<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption In Compliance With D.N.J. LBR 9004-1(b)</p> <p>DUANE MORRIS LLP Morris S. Bauer, Esq. One Riverfront Plaza 1037 Raymond Boulevard, Suite 1800 Newark, NJ 07102-5429 Telephone: (973) 424-2037 E-mail: msbauer@duanemorris.com</p> <p><i>Counsel for Fulton Bank, N.A.</i></p>	 <p>Order Filed on May 27, 2022 by Clerk U.S. Bankruptcy Court District of New Jersey</p>
<p>In Re:</p> <p>VARUN MALIK,</p> <p>Debtor.</p>	<p>Case No. 22-11708 CMG</p> <p>Judge: Hon. Christine M. Gravelle</p> <p>Chapter 11</p>

**ORDER ON DEBTOR'S MOTION FOR ORDER QUASHING FED. R. BANKR. P. 2004
SUBPOENAS ISSUED BY FULTON BANK, N.A. DIRECTED TO SWATI BHATHEJA
A/K/A SWATI MALIK PURSUANT TO D.N.J. LBR 2004-1(d) AND 11 U.S.C. § 105(a) AND
FOR RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby
ORDERED.

DATED: May 27, 2022


Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed To Swati Bhatheja a/k/a Swati Malik Pursuant To D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief

This matter having been opened to the Court by Varun Malik (the "Debtor"), by and through his counsel, Middlebrooks Shapiro, P.C., in the above-captioned bankruptcy case (the "Bankruptcy Case"), on the Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed to Swati Bhatheja a/k/a Swati Malik Pursuant To D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief (the "Motion"); and good and sufficient notice of the Motion having been provided; and the Court having considered the moving papers and the opposition filed by Fulton Bank, N.A. (the "Fulton Bank"), by and through its counsel, Duane Morris LLP, and the arguments of counsel; and the Court having determined that good cause exists for the entry of this Order,

IT IS ORDERED as follows:

1. The Motion be and hereby is GRANTED, in part, and DENIED, in part, as set forth herein.
2. Swati Bhatheja shall produce to Fulton Bank's counsel all documents set forth on Exhibit A attached hereto (the "Bhatheja Documents") two (2) weeks from the entry date of the within Order.
3. Swati Bhatheja shall appear for an in-person 2004 examination at the Newark office of Duane Morris LLP on a mutually acceptable date, but no later than four (4) weeks from the entry date of the within Order (the "Bhatheja Examination").
4. The Debtor, the Debtor's counsel, and other parties in interest may appear at the Bhatheja Examination remotely via Zoom and/or other audio-video conferencing methods.

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoenas Issued
By Fulton Bank, N.A., To Habib American Bank And Glenwood Office Furniture II Pursuant To
D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief

5. Any discovery produced in connection with the Bhatheja Examination, including
but not limited to the Bhatheja Documents, shall not be used by Fulton Bank or any third party in
any case or action except for the instant Bankruptcy Case without further Order from this Court.

EXHIBIT A

RIDER

- 1 Bank Statements for all bank accounts that you are an authorized signatory for years 2017, 2018, 2019, 2020, 2021 and 2022;
- 2 Copies of all of your W-2 statements or 1099 statements for years 2017, 2018, 2019, 2020, 2021 and 2022;
- 3 Copies of documents relating to your ownership of and the sale, transfer, purchase or acquisition of property located at 44 Denise Drive, Edison, NJ, 1 Skytop Road, Edison, NJ, and 21 Maida Road, Edison, NJ;
- 4 Copies of any of your personal financial statements provided to any persons during the years 2017, 2018, 2019, 2020, 2021 and 2022; and,
- 5 Copies of any loan applications and loan documents or guarantees in which you were a party to during the years 2017, 2018, 2019, 2020 and 2021.

In re:
Varun Malik
Debtor

Case No. 22-11708-CMG
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 27, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 29, 2022:

Recip ID	Recipient Name and Address
db	+ Varun Malik, 21 Maida Road, Edison, NJ 08820-2531

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 29, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 27, 2022 at the address(es) listed below:

Name	Email Address
Brian W. Hofmeister	bwh@hofmeisterfirm.com J119@ecfcbis.com
Denise E. Carlon	on behalf of Creditor PNC Bank National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jill Manzo	on behalf of Creditor HSBC Bank USA N.A. bankruptcy@fskslaw.com
Joseph M. Shapiro	on behalf of Debtor Varun Malik jshapiro@middlebrooksshapiro.com
Joseph M. Shapiro	on behalf of Plaintiff Varun Malik jshapiro@middlebrooksshapiro.com
Margaret Mcgee	on behalf of U.S. Trustee U.S. Trustee maggie.mcgee@usdoj.gov

District/off: 0312-3

User: admin

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Date Rcvd: May 27, 2022

Form ID: pdf903

Total Noticed: 1

Melinda D. Middlebrooks

on behalf of Debtor Varun Malik middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

Morris S. Bauer

on behalf of Defendant Fulton Bank N.A. MSBauer@duanemorris.com, tjsantorelli@duanemorris.com

Morris S. Bauer

on behalf of Creditor FULTON BANK N.A. MSBauer@duanemorris.com, tjsantorelli@duanemorris.com

Rebecca K. McDowell

on behalf of Creditor TD Bank N.A. rmcdowell@slgcollect.com, anova@slgcollect.com

Robert P. Saltzman

on behalf of Creditor HSBC BANK USA N.A. dnj@pbslaw.org

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12